

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 16, 2008

The City Council convened in Regular Session on Tuesday, September 16, 2008, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Michael Klinghammer, Bob Kneemiller, Larry Muench, Ron Stivison, and Richard Veit. Absent: Laurie Feldman and Michael Weller. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46910

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag. President of the Council Jerry Reese requested that a silent prayer be offered for the family of Police Officer Grant Jansen, who was killed in an automobile accident on September 10, 2008.

A motion was made by BOB KNEEMILLER to excuse the absences of Councilmember Laurie Feldman and Councilmember Michael Weller. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

PUBLIC HEARINGS

The President of the Council Jerry Reese announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. Consideration of a Project Partially Funded by the Missouri Department of Transportation and the Federal Transit Administration for the Purchase of Four SCAT Busses and Seven Bicycle Racks (***Council Bill 9755***)
- B. Consideration of Proposed Phase Ten-A Improvements and Proposed Assessments in Conjunction with the New Town at St. Charles Phase Ten Neighborhood Improvement District (***Council Bill 9771***)

RESOLUTIONS/AWARDS/PROCLAMATIONS

Recognition of Recent Retiree Michael Christie

City Clerk Marilyn McCoy announced that Michael Christie was not able to attend the meeting; and that the Certificate would be mailed to Mr. Christie.

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9747 Pertaining to Portable On Demand Storage Containers

Don Baker, 3601 Rider Trail South, New Age Moving & Storage, requested that the Council consider amending Council Bill 9747 to allow more days to load and unload the Portable on Demand Storage Container.

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Council Bill 9763 Amending Section 156.040(C) of the Code of Ordinances Pertaining to FHCD Frenchtown Historic Commercial District

Tammy Lawing, spoke on behalf of the Historic Frenchtown Association, in opposition to Council Bill 9763.

Lou Cariffe, 727 Decatur, Craig Enterprises, spoke in favor of Council Bill 9763.

Council Bill 9760 Relative to Allowing Pot-Bellied Pigs as Domestic Pets.

Chris Jones, 2804 Holiday Lane, circulated a petition signed by residents in the area supporting Council Bill 9760; and spoke in favor of Council Bill 9760.

Council Bill 9766 Authorizing a Contract with Allied Services, LLC, and Allied Waste North America, Inc., for the Provision of Solid Waste Collection and Disposal Services.

Patrick McLaughlin, 103 Pine Street, Winfield, Mo., Christian Disposal/FWCD, spoke in opposition to Council Bill 9766.

Tom Dunne, 789 Cypress Knoll Drive, O'Fallon, Mo., Fred Weber, Inc./FWCD, spoke in opposition to Council Bill 9766.

Council Bill 9759 Authorizing a Termination Agreement with Dave Kolb Grading for the Pearl Ridge Storm Sewer Relief Project

Anthony Bradbury, 472 Pearl Ridge Ct., circulated photographs of the flooding in Pearl Ridge Subdivision; and spoke in opposition to Council Bill 9759.

Stephen Highfill, 471 Pearl Ridge Ct., spoke in opposition to Council Bill 9759.

Gloria Brown, 468 Pearl Ridge Ct., spoke in opposition to Council Bill 9759.

John Conaty, 701 Wade Lane, spoke in opposition to Council Bill 9759.

Tom Krenning, 487 Pearl Ridge Ct., spoke in opposition to Council Bill 9759.

Councilmember Dave Beckering requested that data be provided to Director of Administration Michael Spurgeon relative to the number of times that stormwater has entered homes in the Pearl Ridge Subdivision. Councilmember Dave Beckering stated, for the record, that during the rain event on September 14, 2008, and in May 2008, there were multiple homes in Ward 7 which received sewage backups; and that it is not unique to the Pearl Ridge Subdivision to have sewage infiltration into homes when a 50 year rain event is experienced.

Mark Francis, 483 Pearl Ridge Ct., spoke in opposition to Council Bill 9759.

Mark Brown, 476 Pearl Ridge Ct., spoke in opposition to Council Bill 9759.

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PUBLIC COMMENT RELATIVE TO CITY ISSUES

Bill Davis, 1946 Sibley, addressed the Council relative to City issues.

BILLS FOR FINAL PASSAGE

Bill 9727 (Amended)

An Ordinance Approving an Administrative Regulation Relating to Towing Services
(Sponsors: *Jerry Reese, Larry Muench, Bob Kneemiller, Dave Beckering, Ron Stivison, Michael Klinghammer, and Richard Veit*)

A motion was made by DAVE BECKERING to amend Council Bill 9727, as follows: 1) adding Section 3.2 to read as follows: "The Mayor, or where designated by the Mayor, the Police Chief, shall select from the List a single preferred supplier of towing services for a 12 month period. This selection will be based on a vest value proposition which includes meeting all required qualifications, prior performance and cost. The preferred supplier of towing services will be used whenever possible, but other qualified towing suppliers on the List may be used as determined to be necessary by the Chief of Police or his designee."; and 2) adding Section 4.4 to read as follows: "The RFQ will include a request for pricing (RFP) for each service contemplated to be provided by the towing service provider." BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

Bill 9730 (Substitute Bill No. 1) (Failed)

An Ordinance Amending Section 50.02(A) of the Code of Ordinances of the City of St. Charles, Missouri Pertaining to the Hours of Trash Collection (Sponsors: *Erv Ermeling and Richard Veit*)

A separate vote was taken on Council Bill 9730, with the following results:

Failed "Aye": Stivison, Veit, and Ermeling
"Nay": Reese, Beckering, Klinghammer, Kneemiller, and Muench
Absent: Weller and Feldman

Council Bill 9730 failed passage.

File # 46911

Bill 9744

An Ordinance Amending Ordinance Number 07-316 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2008 (Budget Amendment #5) (Sponsors: *Jerry Reese and Michael Klinghammer*)

Passed "Aye": Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller
"Nay": None
Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-193**

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Bill 9745

An Ordinance Authorizing Amendment No. 6 to the Contract with Environmental Management Corporation (EMC) for the Operation and Maintenance of the City's Wastewater Treatment Facilities (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

 “Nay”: None

 Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-198**

Bill 9746

An Ordinance Vacating a Ten (10) Foot Wide Utility Easement Located on Lot 23C of Fountain Lakes Commerce Center Plat 6 (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

 “Nay”: None

 Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-194**

Bill 9747

An Ordinance Amending Chapter 156 of the Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri by Adding a New Section, to be known as Section 156.097, Pertaining to Portable On Demand Storage Containers (*Sponsors: Jerry Reese and Larry Muench*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

 “Nay”: None

 Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-195**

Bill 9748

An Ordinance Approving the Record Plat for St. Charles Hospitality Subdivision, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

 “Nay”: None

 Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-196**

Bill 9749

An Ordinance Approving the Record Plat for the Resubdivision of Lots 2, 3 and 4 of Arco Business Park, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

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Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-197**

Bill 9750

An Ordinance Approving the Record Plat for Fountain Lakes Commerce Center Plat Seven, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-199**

Bill 9751

An Ordinance Authorizing the Acquisition by Purchase or the Exercise of Eminent Domain of Real Property Currently Known as Cemetery Lane and Also Known as Schaeffer Place For Use as a Public Street *(Sponsors: Larry Muench, Erv Ermeling, Richard Veit, Michael Klinghammer, and Ron Stivison)*

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-200**

Bill 9752

An Ordinance Authorizing an Easement Encroachment License Agreement with Michael B. Ramos and Tina M. Serrano for the Construction and Maintenance of a Deck on a Five Foot Permanent Easement Located at or Near 404 Tuscany Trace Court (*Sponsor: Laurie Feldman*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-201**

Bill 9753

An Ordinance Authorizing Contracts with Social Service Agencies for Administering Programs Benefiting St. Charles Citizens Utilizing Community Development Block Grant Funds for the Program Year January 1, 2008 – December 31, 2008 *(Sponsor: Jerry Reese)*

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Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer,
and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 24, 2008, and is known as **Ordinance 08-205**

Bill 9754

An Ordinance Authorizing a First Amendment to the Cooperative Agreement Among the City of St. Charles, The St. Charles Riverfront Transportation Development District, and The St. Charles Riverfront Community Improvement District for the Construction of the Right Turn Lane From Northbound Fifth Street to Eastbound Ameristar Boulevard

(Sponsor: Larry Muench)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer,
and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-202**

Bill 9755

An Ordinance to Authorize Filing of an Application with the Missouri Department of Transportation, Multimodal Operations Division – Transit Section, for Section 5309 – Capital Program Assistance for the Purchase of Four Busses and Seven Bicycle Racks for the St. Charles SCAT Fleet; Authorize Acceptance of Grant Funds; and Authorize Execution of All Necessary Documents and Performance of all Acts to Accept and Receive the Grant

(Sponsors: Larry Muench, Bob Kneemiller, Michael Weller, Jerry E. Reese and Laurie Feldman)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer,
and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-203**

Bill 9756

An Ordinance Approving the Record Plat for Elm Point Place Resubdivision Plat, Lots 42 and 45, a Subdivision in the City of St. Charles, Missouri

(Sponsor: Michael Klinghammer)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer,
and Kneemiller

“Nay”: None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 18, 2008, and is known as **Ordinance 08-204**

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Bill 9757 (Amended)

An Ordinance Annexing Certain Adjacent and Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Land Petitioned for Annexation by Merz Investments, L.P., Three (3) Parcels of Land Located on Portion of an Approximate Twenty Foot Wide Private Drive that Separates The New Town at St. Charles and Charlestowne Developments; Approving an Annexation Agreement with Merz Investments, L.P. and GGW Development Company, Inc.; and Approving and Accepting Dedication of Right of Way (*Sponsor: Michael Klinghammer*)

A motion was made by MICHAEL KLINGHAMMER to amend Council Bill 9757 by amending the exhibits, which revised the amount of square footage indicated in the legal description. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9758

An Ordinance Repealing Chapter 157 of the Code of Ordinances in its Entirety and Amending Chapter 156 of the Code of Ordinances by Amending Sections 156.630, 156.712 and 156.726, and Adding Sections 156.740, 156.741, 156.742 and 156.743 Pertaining to Signs and Billboards (*Sponsor: Larry Muench*)

Passed “Aye”: Muench, Reese, Stivison, Veit, Beckering, Ermeling, Klinghammer, and Kneemiller

 “Nay”: None

 Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-191**

Bill 9759 (Held)

An Ordinance Authorizing a Termination Agreement with Dave Kolb Grading for the Pearl Ridge Storm Sewer Relief Project (*Sponsor: Laurie Feldman*)

A motion was made by LARRY MUENCH to hold Council Bill 9759. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

Bill 9760 (Held)

An Ordinance Amending Chapters 91 and 156 of the Code of Ordinances by Amending: Section 91.03, Pertaining to Definitions; Section 91.15, Pertaining to Animal Registration; Section 91.20, Pertaining to the Display of Registration Tags; Section 91.45, Pertaining to the Number of Animals Allowed at a Residence; and Section 156.085, Pertaining to Animals by Adding Language to Allow Occupants of Dwelling Units in All Residential Zoning Districts and Dwelling Units in the C-O and C-1 Zoning Districts to Allow One (1) Pot-Bellied Pig as a Domestic Pet (*Sponsor: Erv Ermeling and Richard Veit*)

A motion was made by RICHARD VEIT to amend Council Bill 9760 by amending Section 156.085(C) to include a requirement that the occupant provide to the Department of Community Development a Petition signed by at least sixty-percent (60%) of the owners of residential real property within 75 feet of the occupant's property line consenting to the occupant's possession of

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the pot-bellied pig. ERV ERMELING seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, and Ermeling. "Nay": Klinghammer, Kneemiller, Muench, Reese, and Beckering. Absent: Weller and Feldman. Motion failed.

Council Bill 9760 was held by Sponsors Erv Ermeling and Richard Veit. Councilmember Dave Beckering voiced concern that the ordinance prohibiting pot-bellied pigs is not being enforced; and inquired as to the length of time that a Council Bill can be held by its sponsors.

Bill 9761 (Amended)

An Ordinance Authorizing the Mayor and City Clerk to Execute a Contract with Colliers Turley Martin Tucker to Provide Real Estate Brokerage Services for the Sale, Solicitation, Advertising and Negotiation for the Sale of an Approximate 26.5 Acre Parcel of City Property Located Near Highway 370 and Little Hills Expressway
(Sponsor: Jerry Reese and Richard Veit)

A motion was made by LARRY MUENCH to amend Council Bill 9761 by amending Exhibit 1 to include a provision that if sale is to one of seven potential buyers with whom the City has previously discussed sale of this property, broker's commission will be reduced from 6% to 3.5% DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, Ermeling, and Klinghammer. "Nay": None. Absent: Weller and Feldman. Motion passed.

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9762

An Ordinance Authorizing a Termination Contract with St. Charles County for the Use of St. Charles County Transportation Sales Tax Funds for the Design, Right-of-Way Acquisition, and Construction Services for the North Randolph Street Extension Project from its Terminus to Little Hills Expressway (Sponsor: Richard Veit)

Bill 9763 (Amended Prior to Introduction)

An Ordinance Amending Section 156.040(C) of the Code of Ordinances Pertaining to FHCD Frenchtown Historic Commercial District (Sponsors: Larry Muench and Richard Veit)

Discussion was held relative to the provisions included in Council Bill 9763, including the recommendations made by the Planning & Zoning Commission. A motion was made by LARRY MUENCH to remove all reference to "vehicles" in Council Bill 9763. RICHARD VEIT seconded the motion. A roll call vote was taken, with the following results: "Aye": Stivison, Veit, Beckering, Ermeling, Klinghammer, Kneemiller, Muench, and Reese. "Nay": None. Absent: Weller and Feldman. Motion passed.

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Bill 9764

An Ordinance Authorizing a Contract with EJ Equipment for the Purchase of One (1) 2009 Chevrolet CC4500, 17,500 lb. G.V.W.R. Sewer Pipe Video Inspection Van in an Amount Not to Exceed \$109,429.00 (*Sponsor: Michael Klinghammer*)

Bill 9765

An Ordinance Authorizing a Contract with EJ Equipment for the Purchase of One (1) 2009 Chevrolet CC5500, 19,500 lb. G.V.W.R. Sewer Pipe Video Inspection Van with Multi-Grout Chemical Pumping System Amount Not to Exceed \$192,066.00 (*Sponsor: Michael Klinghammer*)

Bill 9766

An Ordinance Authorizing the Mayor and the City Clerk to Execute a Contract with Allied Services, LLC, and Allied Waste North America, Inc., for the Provision of Solid Waste Collection and Disposal Services to the Residents of the City of St. Charles, and thereby naming Allied Services, LLC and Allied Waste North America, Inc., as the Authorized Collector of Solid Waste and Recycling for the City of St. Charles.

(*Sponsors: Laurie Feldman, Jerry E. Reese, Michael Klinghammer*)

President of the Council Jerry Reese introduced the following members of the Solid Waste and Recycling Committee, and thanked the members for their service: Allan Gingerich, Rich Suter, Leroy Sommer, Michael Schulte, and Paul Garnier.

Bill 9767

An Ordinance Authorizing a Contract with Purler-Cannon-Schulte, Inc. for the Arena Parkway Water Main Extension Project in an Amount Not to Exceed \$649,929.50 (*Sponsors: Laurie Feldman & Michael Klinghammer*)

Bill 9768

An Ordinance Amending Section 115.34 of the Code of Ordinances Pertaining to Limitations on Granting Licenses by Amending the Definition of Restaurant Bar (*Sponsor: Jerry E. Reese*)

Bill 9769

An Ordinance Approving a Certificate of Completion; and Authorizing Payment of \$522,282.67 from the Project Fund in Connection with Phase Three of the New Town at St. Charles Neighborhood Improvement District (*Sponsor: Michael Klinghammer*)

Bill 9770

An Ordinance Approving a Certificate of Completion; and Authorizing Payment of \$559,904.50 from the Project Fund in Connection with Phase Two of the New Town at St. Charles Neighborhood Improvement District (*Sponsor: Michael Klinghammer*)

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Bill 9771

An Ordinance Ordering that Certain Improvements Within the New Town at St. Charles Phase Ten Neighborhood Improvement District of the City Be Made; and Directing that Financing for the Costs Thereof Be Obtained, All Pursuant to the Neighborhood Improvement District Act (*Sponsor: Michael Klinghammer*)

CONSENT AGENDA

Director of Administration Michael Spurgeon requested that *Item 8.G.2 Street Status Report* be removed from the Consent Agenda. A motion was made by MICHAEL KLINGHAMMER to receive and approve the balance of the Consent Agenda. DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Veit, Beckering, Ermeling, Klinghammer, Kneemiller, Reese, and Stivison. "Nay": None. Absent: Weller, Feldman, and Muench. Motion passed.

- A. Approval of Council Minutes
 - 1. Regular Council Meeting of September 2, 2008
 - 2. Public Hearing of September 2, 2008

File #46912

- B.
 - 1. Approval of Council Committee Reports
 - a. Finance & Audit Committee Meeting of September 2, 2008

File #46776

- C. Receipt of Reports from Boards, Commissions or Committees
 - 1. Arts and Culture Commission Meeting of August 11, 2008
 - a. Motion to Approve Grant Application in the Amount of \$2,000 for St. Charles Riverfront Arts (St. Charles Plein Air Art Competition)
 - b. Motion to Reserve \$11,000 from the Budget for Christmas in the Park (Lights/Christmas Decorating at the Depot Area)
 - c. Motion to Pay Tartan Days a Portion of the Remaining 20% of Grant Funding, in the Amount of \$1,683.17

File #46751

- 2. Economic Development Commission Meeting of June 12, 2008

File #46763

- 3. Economic Development Commission Meeting of August 7, 2008

File #46763

- 4. Veterans Commission Meeting of August 11, 2008

File #46809

- 5. Beautification Commission Meeting of June 4, 2008
 - a. Motion to Approve the Schedule and Budget for City Lights

File #46793

- 6. Cable Commission Meeting of August 6, 2008

File #46819

- 7. Board of Adjustment Meeting of August 11, 2008

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File #46735

8. Planning and Zoning Commission Meeting of July 28, 2008

File #46762

9. Citizens with Disabilities Advisory Board Meeting of July 23, 2008

File #46862

10. Youth Advisory Commission Meeting of August 21, 2008

File #46736

D. Receipt of Reports of the Director of Administration

1. Notice of Emergency Purchase

File #46711

2. Update on Strategic Planning Process – Famous Past...Fabulous Future

Director of Administration Michael Spurgeon provided an update on the Strategic Planning Process; and announced that a Town Hall Meeting is scheduled for Thursday, September 25, 2008, at St. Charles West High School, from 7:00 p.m. to 9:00 p.m.

File #46913

- E. Approval of Contracts and Easements from \$30,001 - \$99,999
None

- F. Preliminary Plats
None

G. Miscellaneous

1. Investment Report for August 2008

File #46737

2. Street Status Report

REMOVED FROM THE CONSENT AGENDA

3. Approval of Arts & Culture Commission Expenditures

File #46755

4. Report of Court Administrator of Monies Collected and Deposited During the Month of August 2008

File #46743

ITEM REMOVED FROM THE CONSENT AGENDA

Item 8.G.2. Street Status Report

Director of Administration Michael Spurgeon explained the street status report, including the funding shortfall anticipated to complete the projects. Mr. Spurgeon informed the Council that Staff is currently developing a report on all projects to be forwarded to the Council monthly. Councilmember Bob Kneemiller requested that the Street Status Report be included in the Director of Administration Informational Memorandum. Councilmember Michael Klinghammer requested that the Street Status Report be added to all Street Committee Agendas.

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A motion was made by MICHAEL KLINGHAMMER to receive Item 8.G.2 Street Status Report. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit. "Nay": None. Absent: Weller and Feldman. Motion passed.
File #46853

REPORT OF THE MAYOR

Appointments to Boards and Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Early Childhood Care Advisory Commission: Reappointment of Rob Cracchiola, Millie Palmer, Mary Krogmeier, Dee Barteau and Paula Berry for three-year terms ending in September, 2011.

Fourth of July Celebration Committee: Appointment of Andrew Fenton for a one-year term ending in August, 2009.

North 94 Redevelopment & Revitalization Commission: Appointment of Sheila Eckstein to fill a vacant term ending in April, 2011.

Senior Citizens Advisory Commission: Appointment of Don Bosley to fill the unexpired term of Joan Sprague ending in February, 2009.

DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit. "Nay": None. Absent: Feldman and Weller. Motion passed.
File #46729

Written and/or Verbal Messages from the Mayor

Autumn Arbor Day and Irish Festival. The Honorable Mayor Patricia M. York announced that the Beautification Commission is hosting St. Charles Autumn Arbor Day in conjunction with the Irish Festival the weekend of September 19-21, 2008.

Mosaics. The Honorable Mayor Patricia M. York announced that the Mosaics Festival is scheduled for September 19-21, 2008, on North Main Street.

Bicentennial Commission. The Honorable Mayor Patricia M. York announced that the first meeting of the Bicentennial Commission is scheduled for Wednesday, September 17, 2008.

Tour of Missouri. The Honorable Mayor Patricia M. York stated that the Tour of Missouri held on September 13, 2008, was a success.

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Funeral of Officer Grant Jansen. The Honorable Mayor Patricia M. York thanked the St. Charles County Sheriff's Department and the many municipalities which participated in honoring Officer Grant Jansen at his funeral on September 15, 2008.

Update of Flooding Issues. Director of Administration Michael Spurgeon provided an update on the flooding issues in the City.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Music on Main. Councilmember Michael Klinghammer announced that Music on Main is scheduled for Wednesday, September 17, 2008.

EMERGENCY ORDINANCE

Bill 9772

An Emergency Ordinance Suspending the Prohibition Against Drinking in Public Places as to Beer and Wine at the Location and During the Hours of Operation of the Irish Festival (*Sponsors: Larry Muench and Jerry Reese*)

City Clerk Marilyn K. McCoy stated that notification of Council Bill 9772 was not provided 24 hours in advance because a determination was made on September 16, 2008, that it would be unsafe to hold the Irish Festival the weekend of September 19-21, 2008) in Frontier Park due to the flooding situation. Ms. McCoy read Council Bill 9772 in its entirety.

Passed "Aye": Ermeling, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Beckering

"Nay": None

Absent: Weller and Feldman

Approved by the Honorable Mayor on September 17, 2008, and is known as **Ordinance 08-192**

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1); leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9) and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12), with the following results: "Aye": Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Ermeling. "Nay": Beckering. Absent: Feldman and Weller. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 9:00 p.m.

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October 7, 2008
Date Approved

Marilyn K. McCoy
City Clerk

Jerry Reese
Jerry Reese, Presiding Officer